

FILED  
UNITED STATES DISTRICT COURT IN CLERKS OFFICE  
FOR THE DISTRICT OF MASSACHUSETTS

2005 DEC 13 P 2:36

UNITED STATES OF AMERICA, )  
 )  
 ) U.S. DISTRICT COURT  
 ) DISTRICT OF MASS.  
 v. ) CRIMINAL NO. 04-10066-MEL  
 )  
 JAMIE EDELKIND, )  
 Defendant. )

**UNITED STATES' MOTION FOR RELEASE OF LIS PENDENS**

The United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby moves that this Court authorize the United States to release its Lis Pendens recorded at the Plymouth County Registry of Deeds against the real property located at 940 Nantasket Avenue, Hull, Massachusetts, having a deed recorded at the Plymouth County Registry of Deeds, Book 19257, Page 118 (the "Nantasket Avenue Property").

As grounds for this motion, the United States submits that it is no longer seeking forfeiture of the Nantasket Avenue Property in connection with the above-referenced criminal action.

WHEREFORE, the United States requests that the Court authorize the Lis Pendens to be released. A proposed Release of Lis Pendens is submitted herewith for consideration by the Court.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

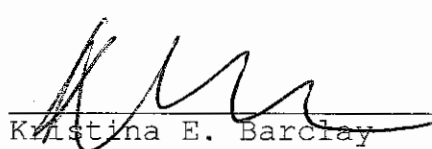
By: 

Kristina E. Barclay  
Assistant U.S. Attorney  
1 Courthouse Way  
Suite 9200  
Boston, MA 02210  
(617) 748-3100

Dated: 12/13/05

CERTIFICATE OF SERVICE

I, Kristina E. Barclay, Assistant U.S. Attorney, hereby certify that a true copy of the foregoing Motion for Release of Lis Pendens, as well as a proposed Release of Lis Pendens, was served upon Michael J. Liston, Esquire, 2 Park Plaza, Suite 610, Boston, Massachusetts 02116, as counsel for Defendant Jamie Edelkind, and Veronica C. Viveiros, Esquire, Harmon Law Offices, P.C., 150 California Street, Newton, Massachusetts 02458, as counsel for Lehman Brothers Bank, FSB, by first class mail, postage prepaid.

  
Kristina E. Barclay  
Assistant U.S. Attorney

Dated: 12/13/05

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	Criminal No. 04-10066-MEL
	)	
v.	)	<u>Record Owner:</u>
	)	Linda Edelkind
	)	
JAMIE EDELKIND,	)	<u>Property:</u>
Defendant.	)	940 Nantasket Avenue
	)	Hull, Massachusetts
	)	
	)	<u>Deed:</u>
	)	Book: 19257, Page: 118

**RELEASE OF LIS PENDENS**

TO ALL WHOM IT MAY CONCERN:

PLEASE TAKE NOTICE that the United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby releases its Lis Pendens against the real property located at 940 Nantasket Avenue, Hull, Massachusetts (the "Nantasket Avenue Property"). For title to the Nantasket Avenue Property, see the deed recorded at Book 19257, Page 118 of the Plymouth County Registry of Deeds, in the name of Linda Edelkind.

The Lis Pendens, a copy of which is attached as Exhibit A, was recorded on March 22, 2005, at the Plymouth County Registry of Deeds.

Signed under the pains and penalties of perjury this 13<sup>th</sup>  
day of December, 2005.

MICHAEL J. SULLIVAN  
United States Attorney

By: 

Kristina E. Barclay  
Assistant U.S. Attorney  
1 Courthouse Way  
Suite 9200  
Boston, MA 02210  
(617) 748-3100

Dated: 12/13/05

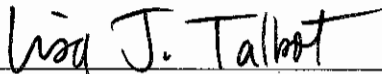
**COMMONWEALTH OF MASSACHUSETTS**

Suffolk, ss.

Boston

Then personally appeared the above-named Kristina E. Barclay, Assistant United States Attorney, and acknowledged the foregoing to be to the best of her knowledge, information, and belief, and to be her free act and deed on behalf of the United States of America.

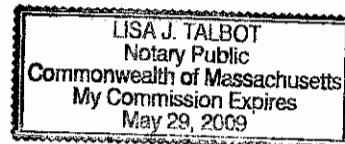
Subscribed to and sworn before me this 13<sup>th</sup> day of December, 2005.

  
Notary Public  
My Commission expires: 5/29/09

APPROVED AND SO ORDERED:

MORRIS E. LASKER  
Senior United States District Judge

Dated: \_\_\_\_\_, 2005



UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTSFILED  
IN CLERKS OFFICE

2005 FEB -3 P 2:18

UNITED STATES OF AMERICA,

v.

JAMIE EDELKIND,

Defendant.

Criminal No. 04-10066-MEL

Record Owner:

Linda Edelkind

Property:

940 Nantasket Avenue

Hull, Massachusetts

Deed

Book 19257, Page 118

U.S. DISTRICT COURT  
DISTRICT OF MASS.Received & Recorded  
PLYMOUTH COUNTY  
REGISTRY OF DEEDS  
22 MAR 2005 12:56PM  
JOHN R. BUCKLEY, JR.  
REGISTER  
Bk 30195 Pg 294-298LIS PENDENS

TO ALL WHOM IT MAY CONCERN:

PLEASE TAKE NOTICE that the United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, has caused a Superseding Information to be filed charging the defendant, Jamie Edelkind, with violations of 18 U.S.C. §§ 1344 and 2 and alleging that the real property located at 940 Nantasket Avenue, Hull, Massachusetts, including all buildings, appurtenances, and improvements thereon (the "Property") constitutes, or is derived from, proceeds traceable to the commission of the offenses, and that the Property is, therefore, subject to forfeiture to the United States of America, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

I hereby certify on 03/15/05 that the foregoing document is true and correct copy of the

☐ electronic docket in the captioned case

☐ electronically filed original filed on \_\_\_\_\_

☐ original filed in my office on \_\_\_\_\_

Sarah A. Thornton  
Clerk, U.S. District Court  
District of Massachusetts

By: \_\_\_\_\_  
Deputy Clerk

GOVERNMENT  
EXHIBIT

A

RETURN TO: Kristina E. Barclay, Assistant U.S. Attorney, United States Attorney's Office,  
1 Courthouse Way, Suite 9200, Boston, MA 02210

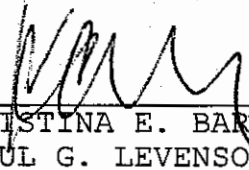
mail 1

For title to the property, see Deed recorded at Book 19257,  
Page 118 of the Plymouth County Registry of Deeds, in the name of  
Linda Edelkind.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United State Attorney

By:



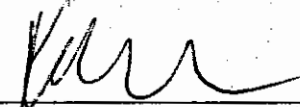
KRISTINA E. BARCLAY  
PAUL G. LEVENSON  
Assistant U.S. Attorneys  
Suite 9200  
1 Courthouse Way  
Boston, MA 02210  
(617) 748-3100

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

OATH

The undersigned Kristina E. Barclay, Assistant United States Attorney, on her oath declares that the proceeding referred to above affects the title to the land and building as described above.

  
\_\_\_\_\_  
Kristina E. Barclay  
Assistant U.S. Attorney

Dated: 2/3/05

Then personally appeared the above-named Kristina E. Barclay, Assistant United States Attorney, and acknowledge the foregoing to be true to the best of her knowledge, information and belief, and to be her free act and deed on behalf of the United States of America.

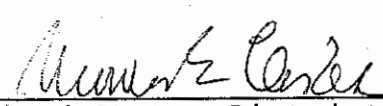
Subscribed to and sworn before this 3 day of February, 2005.

  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: 5/15/09  
KAY BETH WHITTEN  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
May 15, 2009

The above-captioned action constitutes a claim of right to title to real property or the use and occupation thereof or the building thereon.

SO ORDERED AND ENDORSED:

  
\_\_\_\_\_  
United States District Judge

Date:

3/14/05